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LETTER DATED 12 MARCH 1996 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE EXECUTIVE CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991)

The members of the Security Council have followed with concern the incident described in your letter of 9 March 1996 (S/1996/182), when immediate access was not allowed by the Iraqi authorities to a Special Commission inspection team which sought access to a site in Baghdad designated for inspection by the Commission. The members of the Council have also learned with concern of the further incident on 11 March 1996, when an inspection team was again not allowed immediate and unconditional access to a site similarly designated by the Special Commission. In both cases access was subsequently granted only after unacceptable delays.

The members of the Council fully support your continued efforts and those of the inspection teams in Iraq on the basis of the relevant Security Council resolutions. They endorse the contents of your letter of 9 March 1996. They recall that under paragraph 9 (b) (i) of section C of Security Council resolution 687 (1991), Iraq is required to permit "immediate on-site inspection of Iraq's biological, chemical and missile capabilities, based on Iraq's declarations and the designation of any additional locations by the Special Commission itself". By its resolution 707 (1991) the Council also expressly demanded that Iraq "allow the Special Commission, the International Atomic Energy Agency and their inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect". The obligation if furthermore confirmed in the Commission's plan for ongoing monitoring and verification which was approved by the Security Council in resolution 715 (1991).

The members of the Council consider that Iraq's delay in permitting the inspection team currently in Iraq access to the sites concerned constitutes a clear violation by Iraq of the provisions of resolutions 687 (1991), 707 (1991) and 715 (1991). The members of the Council reiterate that the Government of Iraq must allow the Special Commission inspection team immediate, unconditional and unrestricted access to all sites designated by the Commission for inspection.

The members of the Council reiterate their full confidence in the execution by the Special Commission of the tasks entrusted to it by the Council.

(Signed) Legwaila Joseph LEGWAILA
President of the Security Council